

REMARKS/ARGUMENTS

Applicants acknowledge receipt of the Office Action dated October 4, 2005. Claims 1-20 are pending in the application. Claims 1-20 are rejected under 35 U.S.C. § 103 as being unpatentable over Bodnar et al., U.S. Patent No. 5,143,945 ("*Bodnar*"). Applicants believe all pending claims are allowable over the art of record and respectfully request reconsideration and allowance of the claims.

I. Claims 1-20 are patentable over *Bodnar*.

Applicants respectfully traverse the Examiner's rejections of claims 1-20 under § 103 as being unpatentable over *Bodnar*. Applicants submit that contrary to MPEP § 2143, the Examiner has failed to make a *prima facie* case of obviousness in rejecting such claims in that the Examiner has failed to cite references that teach or suggest all of the elements recited in the rejected claims.

Claims 1, 7, and 16 are independent claims upon which claims 2-6, 8-15, and 17-20 depend, respectively. Claims 1, 7, and 16 all recite "an organic isocyanate-reactive component comprising at least fifty (50) percent by weight, based on the total weight of the organic isocyanate-reactive component, of an organic polyol having at least one aliphatic tertiary amine group." Claims 1 and 16 also recite an organic polyol having "a number averaged hydroxyl equivalent weight of greater than 70 to less than 450." Nothing in *Bodnar* teaches or suggests any such recitations of claims 1, 7, and 16. The Examiner indicated that "*Bodnar* et al. discloses . . . polyols of weights and functionalities inclusive of those claimed." (Office Action, pg. 2, lns. 12-14, emphasis added) Applicants respectfully submit that *Bodnar* does not provide such indicated disclosures. *Bodnar* does broadly disclose a polyol component as "any organic compound having at least 2 active hydrogen containing groups and a molecular weight from about 225 to about 12,000 . . ." (*Bodnar*, col. 5, ln. 65 to col. 6, ln. 4) However, *Bodnar* provides no motivation or suggestion to select an organic polyol having at least one aliphatic tertiary amine group as recited in claims 1, 7, and 16. Moreover, *Bodnar* does not expressly teach a particular reason to select an organic polyol having at least one aliphatic tertiary amine group. Applicants would like to point out that *Bodnar* discloses an extensive list of illustrative polyols at column 6, line 5 to column 8, line 2, but *Bodnar* does not teach or suggest an organic polyol having at least one aliphatic tertiary amine group. In addition to not teaching or suggesting an organic polyol having at least one

aliphatic tertiary amine group, nothing in *Bodnar* teaches or suggests a polyol also having a number averaged hydroxyl equivalent weight of greater than 70 to less than 450.

In view of the recitations in claims 1, 7, and 16 that are neither taught nor suggested by *Bodnar*, Applicants respectfully request that the Examiner withdraw the § 103 rejections and allow the claims. Applicants further request that the Examiner also withdraw the § 103 rejections of dependent claims 2-6, 8-15, and 17-20 since it is submitted that independent claims 1, 7, and 16 are allowable. Dependent claims 2-6, 8-15, and 17-20 must *a fortiori* also be allowable, since they carry with them all the limitations of the independent claims to which they ultimately refer.

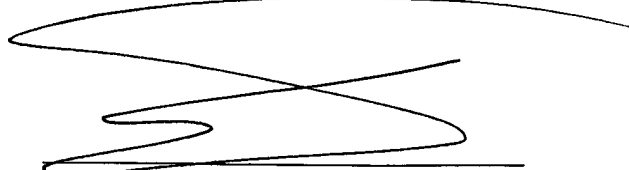
II. Conclusion

Applicants respectfully request reconsideration, allowance of the pending claims and a timely Notice of Allowance be issued in this case. If the Examiner feels that a telephone conference would expedite the resolution of this case, the Examiner is respectfully requested to contact the undersigned.

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the prior art that have yet to be raised, but which may be raised in the future.

If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Conley Rose, P.C. Deposit Account Number 03-2769.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tod T. Tumey', written over a horizontal line.

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